

### **REMARKS**

This responds to the Office Action mailed on February 5, 2008.

Claims 7-15 are canceled, without prejudice to the Applicant; as a result, claims 1-6 are now pending in this application.

#### **Double Patenting Rejection**

Claims 1-6 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,704,319 in view of Meier (U.S. 5,428,636). A properly executed Terminal Disclaimer is included herein to overcome the rejections of claims 1-6. Thus, these rejections are now moot.

#### **§102 Rejection of the Claims**

Claims 7-13 were rejected under 35 USC § 102(e) as being anticipated by Ahearn et al. (U.S. 5,926,463). Applicant reserves the right to later address points raised by the Examiner with reject to the rejections of claims 7-13 in subsequent filed continuations; however, in the present case these claims have been cancelled without prejudice to the Applicant. As such the rejections are now moot.

Claim 14 was also rejected under 35 USC § 102(e) as being anticipated by Aras et al. (U.S. 5,884,937). Claim 14 has been cancelled without prejudice to the Applicant. Consequently, the rejection is now moot.

#### **§103 Rejection of the Claims**

Claim 15 was rejected under 35 USC § 103(a) as being unpatentable over Ahearn et al. in view of Aras et al. Claim 15 has been cancelled without prejudice to the Applicant. Accordingly, the rejection of claim 15 is now moot.

#### **Allowable Subject Matter**

Claims 1-6 were indicated to be allowable if rewritten or amended to overcome the rejection(s) under the Double Patenting Rejection, set forth in the Office Action. A properly

executed Terminal disclaimer has been included herewith. Therefore, claims 1-6 are now in condition for allowance.

### **RESERVATION OF RIGHTS**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

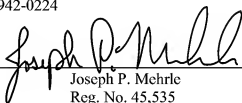
**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((513) 942-0224) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By /  /  
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